

### R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

### THE SPECIFICATION

The specification, including the abstract, has been amended to correct various minor informalities of which the undersigned has become aware. No new matter has been added, and it is respectfully requested that the amendments to the specification be approved and entered.

### THE CLAIMS

Claim 1 has been amended to include the subject matter of claims 2, 3 and 6. In addition, claim 4 has been amended to depend from claim 1. Still further, claims 1 and 4 have been amended to make some minor grammatical improvements and to correct some minor antecedent basis problems so as to put them in better form for issuance in a U.S. patent. No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

### THE PRIOR ART REJECTION

Claims 1-6 were rejected under 35 USC 102 as being anticipated by USP 6,358,764 ("Nemoto"). This rejection, however

is respectfully traversed with respect to the claims as amended hereinabove.

According to the present invention as recited in amended claim 1, an optical pickup is provided which comprises, in particular, a grating disposed between a two wavelength laser and a polarizing beam splitter for dividing a reading laser beam into three divided laser beams; and a photo detector comprising three photodiodes which respectively correspond to the three divided laser beams, and which form the photo sensing area pattern, wherein a middle one of the photodiodes comprises first and second photo sensing areas each of which serves as four divisional photodiodes, and wherein each of the first and the second photo sensing areas receives a middle one of the three divided laser beams originating from a respective one of the first laser beam and the second laser beam.

That is, as described on page 13 of the specification, the photo detector 37 of the present invention includes three photodiodes 41, 42 and 43. The middle diode 41 includes two photo sensing areas 411 and 412, each of which serves as a fourfold photodiode. And as described in the specification at page 15, lines 1-10, when the second (CD reading) laser beam is returning from the CD, the second photo sensing area 412 is used to detect the return laser beam. When the first (DVD reading)

laser beam is returning from the DVD, the first photo sensing area 411 is used to detect the return laser beam. Thus, with the structure of the present invention, an optical pickup can be provided which is simply constructed because it requires only a single photodetector 37, a single laser 31, a single grating 32 and a singly polarizing beam splitter 33.

By contrast, Nemoto discloses an optical pickup apparatus having a photodiode PD (see Fig. 8) which includes a first photodiode for receiving 780 nm light and a second photodiode for receiving 650 nm light (column 10, lines 63-67). More particularly, Nemoto discloses an integrated substrate 11 which includes two first photodiodes (780 nm light only) 16 and 17 and two second photodiodes (650 nm light only) 18 and 19. In Nemoto, the photodiodes 16 and 17 are not used for receiving the laser light L2, and the photo diodes 18 and 19 are not used for receiving the laser light L1. Thus, in Nemoto, the divided light from grating G (see Fig. 8) is incident on both first diodes or both second diodes, depending on the originating laser beam.

Accordingly, it is respectfully submitted that Nemoto et al does not at all disclose, teach or suggest the features of the present invention as recited in amended claim 1 whereby the photo detector comprises three photodiodes which respectively correspond to the three divided laser beams, and which form the

photo sensing area pattern, and whereby a middle one of the photodiodes comprises first and second photo sensing areas each of which serves as four divisional photodiodes, and each of the first and the second photo sensing areas receives a middle one of the three divided laser beams originating from a respective one of the first laser beam and the second laser beam.

In view of the foregoing, it is respectfully submitted that the optical pickup apparatus of the present invention as recited in amended independent claim 1, and claim 4 depending therefrom, clearly patentably distinguishes over Nemoto, taken singly or in combination with any of the other prior art references of record, under 35 USC 102 as well as under 35 USC 103.

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Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

Application No. 09/835,205  
Response to Office Action

Customer No. 01933

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

  
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